

STATE OF MICHIGAN
COURT OF APPEALS

MARGARET E. MONSMA,

Plaintiff-Appellee,

v

WILLIAM L. MONSMA,

Defendant-Appellant.

UNPUBLISHED

May 2, 1997

No. 193440

Kent Circuit Court

LC No. 94-2161-DO

Before: Griffin, P.J., and Doctoroff and Markman, JJ.

PER CURIAM.

Defendant appeals by right from the judgment entered in a divorce action between defendant and plaintiff, spouses for fifty-nine years. Defendant argues that the trial court erred in awarding plaintiff alimony of \$700 per month where plaintiff already received half of all the marital property and allegedly failed to demonstrate an additional need for alimony. We affirm.

Awarding alimony is in the court's discretion. *Sparks v Sparks*, 440 Mich 141, 151-152; 485 NW2d 893 (1992); *Pelton v Pelton*, 167 Mich App 22, 27; 421 NW2d 560 (1988). Alimony is aimed at balancing the incomes and needs of the parties in a way which will not impoverish either party, *Ackerman v Ackerman*, 197 Mich App 300, 302; 495 NW2d 173 (1992). Alimony determinations must be based on what is just and reasonable under the circumstances of the case. *Maake v Maake*, 200 Mich App 184, 187; 503NW2d 664 (1993).

Defendant argues that the trial court erred in awarding alimony to plaintiff when she demonstrated no particularized need for it. However, as set forth above, need is not a prerequisite for alimony; it is only one of a variety of factors which a court may properly consider. See *Ianitelli v Ianitelli*, 199 Mich App 641, 644; 502 NW2d 691 (1993). Defendant also emphasizes that plaintiff received an equal division of the marital property. However, assuming that the trial court equally divided the marital property, that still left unsettled the question of whether the parties' incomes would be roughly equal. "The main objective of alimony is to balance the income . . . of the parties." *Ackerman, supra* at 302. Since defendant does not challenge the court's findings of fact regarding the

amounts of income, the only question here is whether the trial court abused its discretion in awarding plaintiff alimony of \$700 per month from defendant. *Sparks, supra* at 141, 151-152.

By requiring defendant to pay \$700 per month in alimony, the trial court essentially evened the parties' income, increasing plaintiff's net monthly income to \$847 and reducing defendant's net monthly income to \$857. In so doing, the trial court took into consideration defendant's and plaintiff's monthly Social Security benefits as well as defendant's federal pension.¹ The trial court properly considered social security benefits because they are part of the marital estate. *Lee v Lee*, 191 Mich App 73, 79; 477 NW2d 429 (1991). It also properly considered the pension which is subject to division in divorce proceedings. *Chisnell v Chisnell*, 149 Mich App 224, 230-231; 385 NW2d 758 (1986). Therefore, we conclude that the trial court did not abuse its discretion in its award of alimony.

Affirmed.

/s/ Richard Allen Griffin

/s/ Martin M. Doctoroff

/s/ Stephen J. Markman

¹ Contrary to defendant's assertion, the court did not consider defendant's VA benefits in this calculation.